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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,189	06/13/2001	Yoshitaka Terasaki	109768	4046

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EXAMINER

SORRELL, ERON J

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 09/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/879,189

Applicant(s)

TERASAKI ET AL

Examiner

Eron J Sorrell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 July 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leiman et al. (U.S. Patent No. 6,469,796 hereinafter Leiman) in view of Beach et al. (U.S. Patent No. 6,404,772 hereinafter Beach).

3. Referring to claim 1, Leiman teaches an image input and output control apparatus comprising:

a first transmitting and receiving section that transmits and receives data to and from an image input and output apparatus that performs image input and output (see lines 61-67 of column 1 and lines 1-22 of column 2);

a second transmitting and receiving section that transmits and receives data to and from an information terminal apparatus

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that stores the data to be handled by the image input and output apparatus in performing image input or output (see lines 61-67 of column 1 and lines 1-22 of column 2);

a control section that causes data received by one of the first transmitting and receiving section and the second transmitting and receiving section to be transferred from the other (see lines 61-67 of column 1 and lines 1-22 of column 2).

Leiman fails to teach the newly added limitation of the second transmitting and receiving section that transmits and receives data **wirelessly** to and from a **mobile** information terminal apparatus (emphasis added).

Beach teaches a system comprising a transmitting and receiving section that transmits and receives data wirelessly to and from a mobile information terminal apparatus (see paragraph bridging columns 4 and 5).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Leiman with the teachings of Beach such that the second transmitting and receiving section transmits and receives data wirelessly to and from a mobile information terminal apparatus. One of ordinary skill in the art would have been motivated to make such modification to increase the flexibility of the system to allow information terminals to be moved around

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freely as the user desires and to reduce the amount of wires and/or cables needed in the system.

4. Referring to claim 2, Leiman teaches the input and output control apparatus further comprises a user interface providing section that provides a user interface relating to the image and output of the image input and output apparatus (see lines 23-26 of column 2).

5. Referring to claim 3, Leiman teaches an image input and output system comprising:

an image input and output apparatus that performs image input and output (see lines 61-67 of column 1 and lines 1-22 of column 2);

an information terminal apparatus that stores data to be handled by the image input and output apparatus in performing image input or output (see lines 61-67 of column 1 and lines 1-22 of column 2);

the image input and output control apparatus according to claim 1 that transmits and receives data to and from each of the image input and output apparatus and the information terminal apparatus (see lines 61-67 of column 1 and lines 1-22 of column 2).

6. Referring to claim 4, Leiman teaches the image input and output system further comprises a billing apparatus that charges in accordance with image input or output processing of the image input and output apparatus and the information terminal apparatus (see lines 20-34 of column 5).

7. Referring to claim 5, Leiman teaches the control section causes, in causing the data received by one of the first transmitting and receiving section and the second transmitting and receiving section to be transmitted from the other, the data to be converted into a data format suitable for a transmission destination apparatus (see lines 54-64 of column 2).

#### ***Response to Arguments***

8. Applicant's arguments with respect to claim 1 has been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is

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reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J Sorrell whose telephone number is 703 305-7800. The examiner can normally be reached on Monday-Friday 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A Gaffin can be reached on 703 308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are 703 746-7239 for regular communications and 703 746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-3900.

EJS

August 28, 2003

  
KIM HUYNH  
PRIMARY EXAMINER 8/29/03